6385903/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prohibition & Excise Department - Sri M.Adiseshu, formerly Deputy Commissioner, Prohibition and Excise, Guntur (retired on 29.02.2020) - Departmental Proceedings initiated under Rule 20 of the APCS (CCA) Rules, 1991 r/w Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Article of charges - issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.757 **Dated:19.09.2022**

Read:

G.O.Ms.No.61, Revenue (Vig.IV) Department, dated.09.03.2021.

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In pursuance of the sanction accorded by the Government under Sub Clause (i) of Clause (b) of Sub-rule (2) of Rule 9 of the Andhra Pradesh Pension Rules, 1980 for institution of departmental proceedings against Sri M.Adiseshu, formerly Deputy Commissioner, Prohibition and Excise, Guntur, in the reference cited, it is proposed to hold an enquiry against Sri M.Adiseshu, formerly Deputy Commissioner, Prohibition and Excise, Guntur in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M.Adiseshu, formerly Deputy Commissioner, Prohibition and Excise, Guntur is directed to submit his written statement of defence within 10 days of the receipt of this Memorandum and also to state whether he desires to be heard in person.

4. He is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Adiseshu, formerly Deputy Commissioner, Prohibition and Excise, Guntur is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte.

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To

Sri M.Adiseshu, formerly Deputy Commissioner of Prohibition and Excise, Guntur (retired on 29.02.2020) (in duplicate) through Commissioner, Prohibition and Excise for service on the individual and to return the served copy with dated acknowledgement.

The Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Deputy Commissioner of Prohibition & Excise, Guntur.

Sf/Sc

//FORWARDED :: BY ORDER//

R.Vijay Kushe

SECTION OFFICER

ANNEXURE — I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI M. ADISESHU, FORMERLY DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, GUNTUR (RETIRED ON 29.02.2020).

Sri M. Adiseshu, formerly Deputy Commissioner of Prohibition and Excise, Guntur (retired on 29.02.2020), is herein referred as Charged Officer.

ARTICLE OF CHARGE -I:-

Sri M.Adiseshu while working as Deputy Commissioner of Prohibition & Excise, Guntur being a disciplined uniformed Government servant committed a grave misconduct by tampering tenders for selection of buildings to establish Government Retail Outlets, so as to do favour to Bar Owners as well as certain private persons .

Thus, Sri M.Adiseshu, Deputy Commissioner of Prohibition & Excise (Rtd.,) by his above mentioned act has exhibited lack of integrity, devotion to duty, conduct of unbecoming of a public servant and thereby contravened Rule 3 (1) (2) & (3) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE -II:-

Sri M.Adiseshu while working as Deputy Commissioner of Prohibition & Excise, Guntur being a disciplined uniformed Govt. servant has committed a grave misconduct by involving in corruption activities in demanding and accepting bribe amounts @ 1.75 lakhs, 2.5 lakhs & 3 lakhs each from Bar owners of Tenali for not establishing Government Liquor shops nearby Bars in Tenali Town through Sri Mamatha Nageswara Rao owner of Mamatha Bar & Restaurant, Tenali. Thus M.Adiseshu, Deputy Commissioner of Prohibition & Excise(Rtd.,) by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct un-becoming of a public servant and thereby contravened Rule-3(1)(2)&(3) of Andhra Pradesh Civil services (Conduct) Rules, 1964.

Article Of Charge III:

Sri M.Adiseshu while working as Deputy Commissioner of Prohibition & Excise, Guntur has committed grave misconduct by not establishing outlet at RTC Bus Stand at which earlier A4 shop was located and had about Rs.11 crores turnover during 2017-18 only to favour Sri Mamatha Nageswara Rao as his Mamatha Bar & Restaurant is located there and thereby caused loss to Government Revenue.

'Thus M.Adiseshu, Deputy Commissioner of Prohibition & Excise (Rtd.,), by his above mentioned acts has exhibited lack of integrity, demanded and accepted huge bribe amount, failed to work in devotion of duty, conduct un-becoming of a public servant and thereby contravened Rule-3 (1), (2), (3) & (5) of Andhra Pradesh Civil services (Conduct) Rules, 1964.

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

//FORWARDED :: BY ORDER//

R. Vijay Kushde
SECTION OFFICER

ANNEXURE- II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. ADISESHU, FORMERLY DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, GUNTUR (RETIRED ON 29.02.2020)

The then Director of Enforcement has informed that a complaint petition was received from Meduri Ramu of Guntur Town making allegations against Excise Officials of Guntur, Tenali and Mangalagiri that Sri Adiseshu, Deputy Commissioner of Prohibition & Excise, Guntur(now retired), Sri Ravi Kumar, Prohibition & Excise Superintendent, Tenali (presently working in SEB) and Sri Eswara Rao, formerly SHO, Tenali collected money in large scale from Bar& Restaurant Owners for not establishing Government Liquor Shops near Bars in Guntur, Tenali, Undavalli and Mangalagiri. In Tenali Town, Sri Ravi Kumar, Prohibition & Excise Superintendent collected huge bribe amounts through Mamatha Nageswara Rao causing loss to Government revenue for not establishing Government Outlets at RTC Bus Stand which is public floating place and also nearby Bar & Restaurants of Tenali. It is also alleged that the said officials have also tampered tenders for selection of buildings to establish liquor shops so as to do favour to Bar owners. It is also alleged that, they have established liquor shops near the Bars who did not paid money to them. The Government has also forwarded a similar complaint and requested to take necessary action. Both the complaints were entrusted to Sri P.Veerendra Babu, Inspector of Police, STF Team-VI for enquiry on 28.11.2019 & 11.12.2019 and he submitted report on 27.01.2020.

The DOE has further informed that the Managing Director, Andhra Pradesh State Beverages Corporation Limited has also forwarded the similar petition received from the CMO in which it was also alleged that Sri Mamtha Nageswara Rao having two bars and one lodge in Tenali and he used to manage Excise Officials on which DSP, STF was asked to conduct detailed confdential enquiry on 24.02.2020 and Sri N.Krishna Kishore Reddy, DSP, STF, Team 7&8 submitted his report to DOE. Sri Mamatha Nageswara Rao having two bars and one lodge in Tenali and he used to manage Excise Officials and collected Rs.2.5 Lakhs from each Bar owner in Tenali town to give the amount to Excise Officials i.e., Deputy Commissioner & Prohibition & Excise Superintendent & SHO for not establishing Government Outlets near the Bars. Sri Mamatha Nageswara Rao managed Sri Srinivasa Murthy, Prohibition & Excise Superintendent, STF by paying bribes to conduct raids on Bars who have not paid money as demanded. The findings of the enquiry report are as follows:

Findings of the Enquiry:

1. Allegation that irregularities in purchasing low standard furniture to Government liquor shops is not proved.

2. Allegation of collecting money from Bar Owners of Undavalli, Mangalagiri and Guntur is not proved.

3. Collection of bribe amounts @ 1.75 lakhs, 2.5 lakshs & 3 lakhs each from Bar owners of Tenali by Sri Adiseshu, Dy.Commissioner of Proh.&Excise, Guntur(now retired), Sri Ravi Kumar, P&ES, Tenali (presently working in SEB) and Sri Eswara Rao, SHO, Tenali (U/s) (now reinstated into service and waiting for posting) through Sri Mamatha Nageswara Rao owner of Mamatha Bar & Restaurant, Tenali for not establishing Government Liquor Shops near Bars is proved.

4. Tampering of tenders for selection of buildings to establish Government Retail Outlets to favour Bar Owners as well as certain private persons is proved.

5. It is also proved that GRO, Sultanabad, Tenali is established near Bar who didn't paid bribe amount to the said officials.

Contd.,2

6. Causing loss to Government Revenue by not establishing outlet (at RTC Bus. Stand at which earlier A4 shop was located and had about Rs.11 crores turnover during 2017-18) only to favour Sri Mamatha Nageswara Rao as his Mamatha Bar & Restaurant is located there is also proved.

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

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SECTION OFFICER

ANNEXURE- III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. ADISESHU, FORMERLY DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, GUNTUR (RETIRED ON 29.02.2020), ARE PROPOSED TO BE SUSTAINED.

1. Complaint Petition from Sri Meduri Ramu of Guntur Town dt.18.11.2019.
2. DOE Office Cr.No.955/2019/DOE/B2, Dt.28.11.2019
3. Report received from Sri P.Veerendra Babu, IOP,STF, Team-6, dt.27.02.2020.
4. Memo No.CPEOMISC/321/2019-Exc.II/Rev, Dt.28.10.2019.
5. DOE Cr.No.965/2019/DOE/B2, Dated: 11.12.2019
6. Report submitted by Sri P.Veerendra Babu, IOP, STF, Team-6, Dated: 27.02.2020
7. Endt.No.3188788/Ex.I(2)/2019, dt.30.12.2019 of Government of A.P.
8. Lr.No.APSBCL/ROs/2019-20/GM(E)/166, Daated:24.02.2020
9. Report submitted by Sri N.Krishna Kishore Reddy, DSP, STF, Team 7&8. 10. DOECr.No.955/2019/DOE/B2, Dated: 17.03.2020.

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

//FORWARDED :: BY ORDER//

R. Vijay Kishore
SECTION OFFICER

ANNEXURE- IV

LIST OF WITNESS BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. ADISESHU, FORMERLY DEPUTY COMMISSIONER OF PROHIBITION AND EXCISE, GUNTUR (RETIRED ON 29.02.2020), ARE PROPOSED TO BE SUSTAINED.

1. Meduri Ramu of Guntur Town
2. Sri Mamatha Nageswara Rao, Mamatha Bar & Restaurant, Tenali
3. Sri P.Veerendra Babu, formerly IOP,STF, Team-6
4. Sri N.Krishna Kishore Reddy, formerly DSP, STF, Team 7&8.
5. The then Bar & restaurant owners of Guntur, Tenali & Mangalagiri Towns.

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

//FORWARDED :: BY ORDER//

R. Vijay Kishore
SECTION OFFICER